

The present report was requested by the Governing Body of the International Labour Organization (ILO) at its 323rd Session in March 2015. The Governing Body requested the Chairperson of the Committee of Experts on the Application of Conventions and Recommendations (CEACR), Judge Abdul Koroma (Sierra Leone), and the Chairperson of the Committee on Freedom of Association (CFA), Professor Paul van der Heijden (Netherlands), to jointly prepare a report on the interrelationship, functioning and possible improvement of the various supervisory procedures related to articles 22, 23, 24 and 26 of the ILO Constitution and the complaints mechanism on freedom of association. During the drafting process of this report, the authors received perspectives from the ILO's tripartite constituents. Where possible, these are reflected in the report.

The different supervisory procedures of the ILO serve a common purpose: the effective observance of international labour standards, particularly in relation to ratified Conventions. The existing connections between the supervisory mechanisms therefore operate in respect of obligations freely assumed by the Organization's member States through the ratification of Conventions. Nevertheless, obligations in respect of unratified instruments are also an important area of attention for the supervisory bodies.

The supervisory mechanism has developed over time to meet changing societal realities and challenges. The current system of supervision is one of the oldest and one of the most sophisticated international monitoring mechanisms in existence. An analysis of and comparison with (other) United Nations (UN) Human Rights monitoring mechanisms did not reveal specific shortcomings of the ILO system.

The ILO supervisory procedures are complementary. The effective functioning of the supervisory system as a whole is based on the links and interactions between the different elements. Tripartism is vital for the effective functioning of the supervisory bodies and for preventing unnecessary duplication.

Many cases of progress illustrate the significant impact the different supervisory bodies have in promoting compliance with international labour standards. A combination of supervisory tools, such as reporting obligations, technical assistance and on-site missions contributes to the effectiveness of the system.

While the system functions adequately, it is necessary to evaluate and enhance it on a continuous basis. In this report, various recommendations are put forward in this respect. These suggestions are related to: (a) transparency, visibility and coherence; (b) mandates and the interpretation of Conventions; and (c) workload, efficiency and effectiveness.

It is critical that mechanisms are put in place to improve upon the transparency of the supervisory mechanism. Clarity with respect to the procedures and committees within the system could be enhanced by strengthening the avenues for dialogue between the different supervisory bodies. Furthermore, transparency can be achieved by utilizing more "userfriendly" and "visible" methods for delineating the different supervisory tasks of the different supervisory bodies using available modern technology. In relation to questions about the interpretation of Conventions, the ILO Constitution offers two distinct options under article 37(1)–(2).

Reducing the workload of the various bodies could be achieved by increasing the capacity of the different bodies, but also by exploring meticulously the use of independent and impartial national mechanisms for conflict settlement that precede recourse to the ILO's bodies.

Improved coordination of supervision and technical assistance will also lead to more effective compliance with international labour standards. It is generally recognized that the ILO's supervisory system succeeds in promoting the application of labour standards. Bolstering the transparency, accessibility, awareness and coherence of the system nevertheless demands unceasing attention. Moreover, measuring the impact of international labour standards is essential for the continuous efforts to strengthen the ILO supervisory system. The present report contributes to these ongoing efforts.